

Docket No. 23-4509

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

United States of AmericaPlaintiff-Appellee,

v.

Russell Lucius LaffitteDefendant-Appellant.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA,
BEAUFORT DIVISION, RICHARD M. GERGEL, DISTRICT JUDGE

DEFENDANT-APPELLANT’S MOTION FOR EXCESS WORDS

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*Counsel for Defendant-Appellant
Russell Lucius Laffitte*

Defendant Russell Lucius Laffitte (“Laffitte”) respectfully requests that this Court grant him leave to exceed the 2,600-word limit allowed by Federal Rule of Appellate Procedure 27(d)(2)(C) when filing his forthcoming Reply to the Government’s Response to his Motion for Release Pending Appeal (“Reply”). Counsel for the Government consents to this Motion.

Good cause exists to exceed the word limit in Rule 27. As with the Motion and the Government’s Response, which both exceeded the word limits in Rule 27,¹ there are several complex legal issues raised by the Government to which Laffitte must Reply. In order to do so effectively, the Reply must cite extensively to significant portions of the trial transcripts, affidavits, juror notes, and other material from the record. These materials are lengthy, but are important to reference to fully argue to this Court regarding the merits of his arguments as to why Laffitte should remain on bond pending appeal.

Laffitte’s counsel intends the Reply to be no more than 6,500 words, excluding the exemptions enumerated in Rule 32(f). As noted above, counsel for the Government consents to the granting of this Motion and good cause exists to allow excess words. Therefore, Laffitte respectfully requests this Motion be granted.

¹ In fact, the Government’s Response was lengthier than Laffitte’s initial Motion and, on August 28, 2023, this Court granted the Government’s Motion to Exceed Length Limitations.

Dated: August 29, 2023

Respectfully submitted,

/s/ William W. Wilkins

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CERTIFICATE OF COMPLIANCE

As required by Rule 32(g)(1) of the Federal Rules of Appellate Procedure, I hereby certify that this Motion is in compliance with the type form and volume requirements. This Motion was prepared using Microsoft Word 2016. It is proportionately spaced; uses a Roman-style, serif typeface (Times New Roman) of 14-point; and contains 201 words exclusive of the material not counted under Rule 32(f) of the Federal Rules of Appellate Procedure.

Dated: August 29 2023

/s/ William W. Wilkins

William W. Wilkins

Counsel for Defendant-Appellant

Russell Lucius Laffitte

CERTIFICATE OF SERVICE

I certify that on August 29, 2023, the foregoing filing was served on all counsel of record for the parties through the CM/ECF system.

Dated: August 29, 2023

/s/ William W. Wilkins

William W. Wilkins

Counsel for Defendant-Appellant

Russell Lucius Laffitte